

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

YOLANDA DORSEY

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CIVIL ACTION NO.:

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VERSUS

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THE UNITED STATES OF AMERICA D/B/A \*

U.S. ARMY CORPS OF ENGINEERS, MEMPHIS \*

DISTRICT AND KENNETH B. MATHESON \*

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**COMPLAINT FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes Complainant, YOLANDA DORSEY, a person of full age of majority and resident of the Parish of Orleans, State of Louisiana, who respectfully represents that:

I.

Made Defendants herein are:

A. THE UNITED STATES OF AMERICA D/B/A U.S. ARMY CORPS OF ENGINEERS, MEMPHIS DISTRICT; and,

B. KENNETH B. MATHESON, a person of full age of majority and resident of the County of Warren, State of Mississippi.

II.

Jurisdiction and venue are proper in the United States District Court for the Western District of Louisiana pursuant to 28 USC § 1441 and 28 USC § 1442 inasmuch as the defendants are the United States of America and Kenneth B. Matheson and all allegations herein involve claims against persons employed by this defendant and acting within the course and scope of their employment with the United States government, for events which occurred in part in the Parish of

Jefferson Davis, State of Louisiana within the Western District of Louisiana.

III.

On or about September 30, 2022, Complainant herein, Yolanda Dorsey, was a guest passenger in a 2019 Ford Transit 350, which was properly stopped due to traffic in a cautious and prudent manner, on I-10 West near mile-marker #51.9, when suddenly and without warning, a 2019 Ford F-150, owned by defendant The United State of America, and operated with permission by defendant, Kenneth Matheson, failed to properly stop and rear-ended the vehicle complainant was a guest passenger in. The collision caused significant injuries and damages to Complainant.

IV.

As a result of said accident, Complainant, Yolanda Dorsey, was caused severe and painful personal injury, including but not limited to all bones and muscles of the body, nerves, ligaments, tissues, and blood vessels, and, more particularly, injuries to the back, neck and head.

V.

Complainant avers that her injuries were caused by the defendant's negligence, through its employee, by committing the following acts and/or omissions, to wit:

1. Failure of the driver to maintain proper control of the vehicle;
2. Failure to maintain proper lookout;
3. Operating a vehicle in a careless and reckless manner;
4. Failure to avoid striking another vehicle;
5. Failure to use reasonable vigilance;
6. Traveling at too great a speed;
7. Failure to yield;

8. Failing to obey the traffic laws in the Parish of Jefferson Davis, State of Louisiana, which are pled herein by reference;
9. Negligently entrusting a vehicle to a driver known to be an unsafe driver;
10. Any and all other acts of negligence which will be proven at the trial of this matter.

VI.

Defendant, the United States of America and/or the U.S. Army Corps of Engineers, is vicariously liable for any and all acts of negligence committed by its employee, Kenneth Matheson.

VII.

As a result of the defendant's negligence, Complainant, Yolanda Dorsey, experienced the following damages, for which Defendant is liable pursuant to the Federal Tort Claims Act and Louisiana law:

1. Past, present and future physical pain and suffering;
2. Past, present and future mental pain and suffering;
3. Past, present and future medical expenses;
4. Lost wages;
5. Loss of enjoyment of life;
6. Disability and loss of function;
7. Past, present and future medical bills.

WHEREFORE, Complainant, Yolanda Dorsey, prays that Defendants, the United States of America on behalf of the U.S. Army Corps of Engineers, Memphis District and Kenneth

Matheson, be served with a copy of this Complaint for Damages, and that, after due proceedings, there be judgment herein in favor of Complainant and against Defendant, for all damages as are reasonable in the premises, together with legal interest thereon from the date of judicial demand until paid, for all costs of these proceedings, including attorneys' fees, for all general and equitable relief, and for trial by jury.

Dated: September 6, 2022

Respectfully submitted,

/s/John D. Sileo

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JOHN D. SILEO, T.A. (LA. No. 17797)  
CASEY W. MOLL (LA. No. 35925)  
320 N. CARROLLTON AVENUE, #101  
NEW ORLEANS, LOUISIANA 70119  
TEL: 504-486-4343  
FAX: 504-297-1249  
jack@johnsileolaw.com  
casey@johnsileolaw.com  
ATTORNEYS FOR PLAINTIFF